

PETITION FOR ZONING VARIANCE 84-220-A
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1842.3.B. (and 4-3011) of the Zoning Ordinance of Baltimore County, Maryland, to allow the use of the property for a PERMANENTLY OPEN CARPORT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
DESIRE COVER TO PROTECT AGING SPOUSE IN INCLEMENT WEATHER.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attention: For Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State
Phone No.
Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of January, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of March, 1984, at 10:15 o'clock A.M.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 17, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #164 (1983-1984)
Property Owner: Howard M. Harris, et ux
N/ES Prince George Rd. 74.4' N/W Sheldwood Rd.
Acres: 70 X 110 District: 3rd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:
Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 164 (1983-1984).

Very truly yours,
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:as

P-SE Key Sheet
23 & 24 NW 24 Pos. Sheets
NW 6 F Topo
76 Tax Map

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE
PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

February 6, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 158, 159, 162, 164, 165. -ZAC- Meeting of January 3, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 158, 159, 162, 164, and 165.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSP/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner
TO: Office of Planning and Zoning Date: February 13, 1984

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items
Meeting - January 3, 1984

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item # 158 - Caroline Leona Ward
Item # 161 - Helen L. Geppert
Item # 162 - Middle River Volunteer Fire Company, Inc.
Item # 164 - Howard M. Harris, et ux
Item # 165 - Dollie J. Gleaton

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LIF/ftb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 23, 1984

Mr. & Mrs. Howard M. Harris
7516 Prince George Road
Baltimore, Maryland 21207

RE: Item No. 164 - Case No. 84-220-A
Petitioner - Howard M. Harris, et ux
Variance Petition

Dear Mr. Harris:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari, Jr.
NICHOLAS B. COMMODARI
Chairman, Zoning Plans Advisory Committee

NBC:bsc
Enclosures

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PALL H. REINCKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Howard M. Harris, et ux
Location: NE/S Prince George Road 74.4' N/W Sheldwood Road

Item No.: 164
Zoning Agenda: Meeting of January 3, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: George M. McGonigal
REVIEWER: P.H. Reincke, 2-14-84
Planning Group
Special Inspection Division
Fire Prevention Bureau

/ab

ARNOLD JABLON
ZONING COMMISSIONER

February 21, 1984

Mr. & Mrs. Howard M. Harris
7516 Prince George Road
Baltimore, Maryland 21208

Re: Petition for Variance
NE/S Prince George Rd., 74.4 ft. NW of
Shelwood Road (7516 Prince George Road)
Howard M. Harris, et ux - Petitioners
Case No. 84-220-A

Dear Mr. & Mrs. Harris:

This is to advise you that \$43.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 126880

DATE 3-5-84 ACCOUNT R-01-615-000

AMOUNT \$43.00

RECEIVED FROM *Howard M. Harris*
FOR *Advertising & Posting Case #84-220-A*

013*****0010 6052A

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of March, 1984, that the Petition for Variance to permit a side yard setback of 1 1/2 feet instead of the required six feet be and is hereby GRANTED from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at

Beginning at a point on the Northeast side of Prince George Road, 74.4 ft. Northwest of Shelwood Road and known as Lot 13, Block H of Willow Glen and recorded among the Land Records of Baltimore County in Plat Book 26, folio 114. Also known as 7516 Prince George Road.

PETITION FOR VARIANCE

3rd Election District

ZONING: Petition for Variance

LOCATION: Northeast side of Prince George Road, 74.4 ft. Northwest of Shelwood Road (7516 Prince George Road)

DATE & TIME: Monday, March 5, 1984 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 1 ft. 6 inches instead of the required 6 ft. for an open carport

Being the property of Howard M. Harris, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION FOR VARIANCE
NE/S of Prince George Road,
74.4 ft. NW of Shelwood Road
(7516 Prince George Road) -
3rd Election District
Howard M. Harris, et ux,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-220-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1 1/2 feet instead of the required six feet. The purpose of their request is to construct an open carport, as more fully described on Petitioners' Exhibit 1.

The Petitioner, Howard M. Harris, appeared and testified. There were no Protestants.

Testimony indicated that the Petitioners have lived on the subject property, zoned D.R.S.5, for approximately 20 years. A single-family dwelling presently exists with a driveway extending about 70 feet from Prince George Road on the east side of the house. The Petitioners wish to construct a 12' x 20' carport attached to a covered patio which is a part of the house. A door leads to the patio from a laundry room, and the carport would provide shelter from inclement weather from the covered patio to the automobiles.

The Petitioners are senior citizens and require the added protection a carport should provide. Additionally, other homes in the neighborhood have carports. The Petitioners seek relief from Section 1802.3.B (211.3 and 301.1), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. *Meagan v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Howard M. Harris, et ux - 84-220-A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

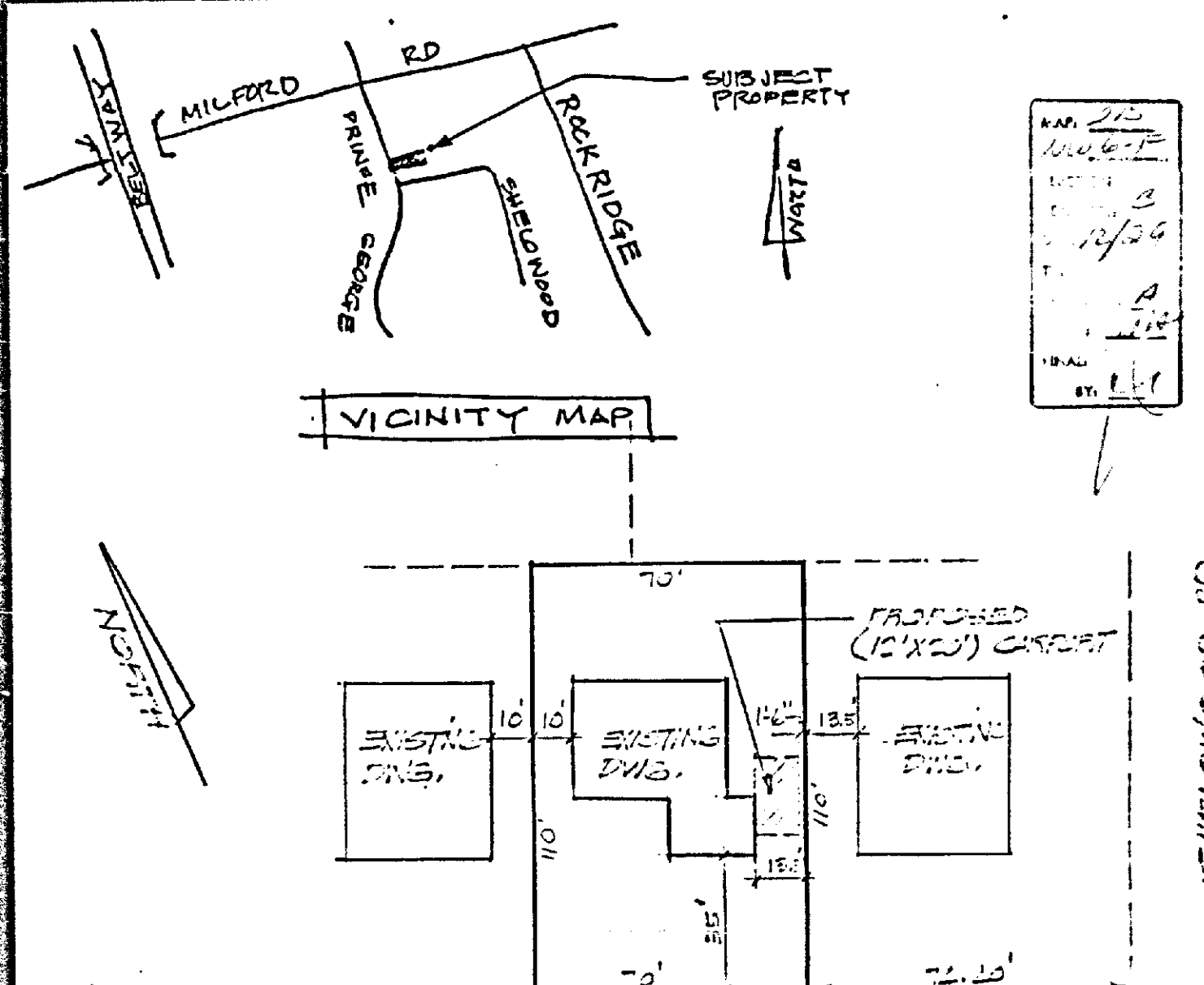
NEG/JGH/sf

ORDER RECEIVED FOR FILING

DATE *March 5, 1984*
BY *John P. [Signature]*

ORDER RECEIVED FOR FILING

DATE *March 6, 1984*
BY *John P. [Signature]*



PRINCE GEORGE RD
(60' W)

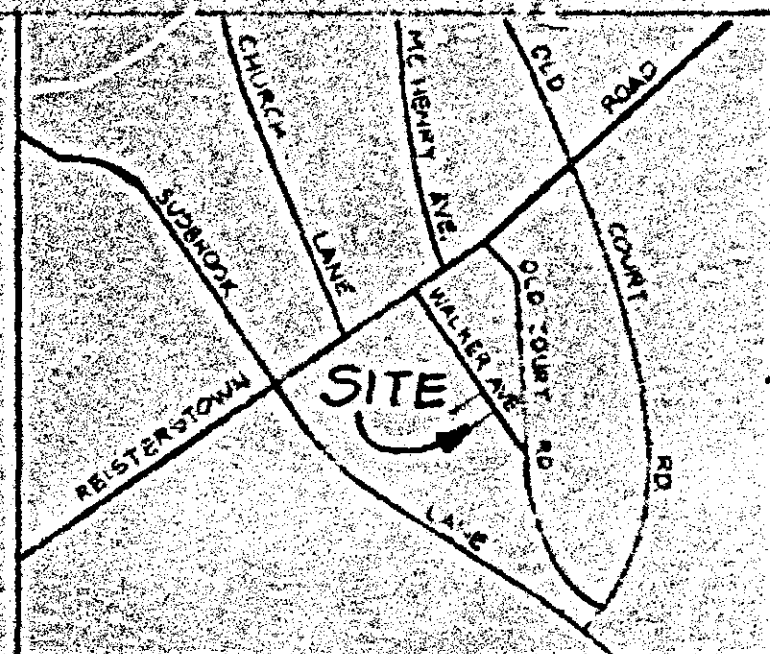
PLAT FOR VARIANCE 1
OWNER: HOWARD M. & RUTH HARRIS
3RD DISTRICT, EXISTING ZONING D.S.5
WILLOW GLEN, LOT 13, BLK H
BOOK NO. 26 FOLIO 114
EXISTING UTILITIES IN PRINCE GEORGE RD
SCALE: 1"=20'

OWNERS WILL TAKE FULL RESPONSIBILITY
AS TO THE INFORMATION PROVIDED ON
SAID PLAT PREPARED BY BALTO. CO.
DATE *March 17, 1984*
BY *[Signature]*

PARKING DATA

FLOOR USE	SQ FT	RATIO	SPACES REQD
EX. OFFICES 1ST FLOOR	5291	1PS/300 S.F.	17.6
EX. OFFICES 2ND FLOOR	5291	1PS/500 S.F.	10.6
EX. OFFICES 3RD FLOOR	5291	1PS/500 S.F.	10.6
TOTAL PARKING SPACES REQUIRED:			39
TOTAL PARKING SPACES PROVIDED:			43
TOTAL OVERFLOW SPACES PROVIDED:			12
GRAND TOTAL PARKING SPACES PROVIDED:			55

EX. ZONING BL-CCC
EX. USE: WALKER CENTER
PROFESSIONAL BLDG. OFFICES



LOCATION MAP
SCALE: 1" = 1000'

EX. ZONING BL-CCC
EX. USE: 5 STORY MARYLAND
STATE POLICE BUILDING

BASEMENT
RADIO SHOP
GARAGE

EX. PARKING LOT

NOTES

- BOUNDARY TAKEN FROM SITE PLAN FOR N. 25 & 26 WALKER AVE. PREPARED BY PARSONS & JESCHKE, DATED AUGUST 7, 1970, AND HAS BEEN ADJUSTED TO REFLECT WIDENING OF WALKER AVE. R/W IN DEED DTG. 5/12/69.
- SITE ACRES = 0.49 AC.
- ENTIRE SITE ZONED BL-CCC.
- PARKING SPACES SHOWN ARE EXISTING.
- SITE CONNECTED TO PUBLIC WATER / PUBLIC SEWER.
- LIGHTING ON BUILDING IS DIRECTED AT AND LIMITED TO PARKING AREAS.

- THE GATE HOUSE SHALL BE CONSTRUCTED IN ACCORDANCE WITH PETITION EXHIBIT 6 AND SHALL NOT BE UTILIZED FOR ANY PURPOSE EXCEPT AS DESCRIBED IN COMMISSIONER'S OPINION # 84-221A.
- THE GATE HOUSE SHALL BE OPERATED BY A PARKING ATTENDANT ONLY AND THERE SHALL BE NO FEE CHARGED TO THOSE USING THE PARKING LOT.

EX. 2 1/2 STORY
FRAME DWLG.

EX. ZONING BL-CCC
EX. USE: OFFICES
MARYLAND TRADE EXCHANGE
AND
JOHN W. WOLFE & SON
PLUMBING COMPANY

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 6/1/84
BY: *[Signature]*
DATE: 6/1/84

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
25 & 26 WALKER AVENUE
WARREN PROFESSIONAL BUILDING

OWNER

MICHAEL LASKY
96 JEFFREY MCEVY
MELNICOVE, CAEMAN, REINER
& SMOUSE
50 S. CHARLES ST. SUITE 600
BALTIMORE, MD 21201
301-552-8500

3 RD ELECTION DISTRICT
SCALE: 1" = 20'

BALTIMORE COUNTY, MD
DATE: FEBRUARY 6, 1984

REVISION Δ JUNE 7, 1984

DST & A
INC.

11 WARREN ROAD, CATONSVILLE, MARYLAND 21048-1101 (410) 484-6100